

Please type a plus sign (+) inside the box. → ☒

PTO/SB/01 (12-97)

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**DECLARATION FOR UTILITY
OR DESIGN PATENT
APPLICATION (37 CFR 1.3)**

☐ Declaration Submitted with initial Filing OR ☒ Declaration Submitted After initial Filing (surcharge (37 CFR 1.6(e)) required)

Attorney Docket Number 364106/176

First Named Inventor GEORGE S. GABRIEL et al.

COMPLETE IF KNOWN

Application Number 09/173,134

Filing Date October 15, 1998

Group Art Unit 3643

Examiner Name

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

MULTIPURPOSE RAT CAGE

the specification of which

☐ is attached hereto (Title of the Invention)
OR

☒ was filed on (MM/DD/YYYY) 10/15/1998 as United States Application Number or PCT International

Application Number 09/173,134 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

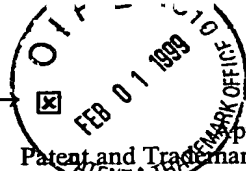
☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.
09/106,389	June 26, 1998 (co-pending)	

(Page 1 of 5)

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DECLARATION – Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application

U.S. Parent Application or
PCT Parent Number

Parent Filing Date
(MM/DD/YYYY)

Parent Patent Number
(if applicable)

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and

Trademark Office connected therewith: ☐ Customer Number

OR

☒ Registered practitioner(s) name/registration number listed below.

Name	Registration Number	Name	Registration Number
Lawrence Rosenthal	24,377		
Steven B. Pokotilow	26,405		
Howard M. Gitten	32,138		
Matthew W. Siegal	32,941		

☐ Additional registered practitioner(s) named on supplemental registered Practitioner Information sheet PTO/SB/02C attached hereto.

Direct all correspondence to : ☐ Customer Number
or Bar Code Label

☒ Correspondence address below

Name	STROOCK & STROOCK & LAVAN LLP				
Address	180 Maiden Lane				
Address					
City	New York	State	New York	ZIP	10038
Country	US	Telephone	(212) 806-5400	Fax	(212) 806-6006

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor

☐ A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])

Family Name or Surname

George S.

Gabriel

Inventor's
Signature

Date 1/12/99

Residence: City

Seaford

State

Delaware

Country

United States

Citizenship

US

Post Office Address

Route 4, Box 233, Old Meadow Road

Post Office Address

City

Seaford

State

Delaware

Zip

19973

United States

☒ Additional inventors are being named on the supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto

(Page 2 of 5)

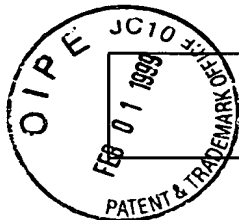
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DECLARATION

ADDITIONAL INVENTOR(S)
Supplemental Sheet
Page 3 of 5

Name of Additional Joint Inventor, if any:						<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name(first and middle [if any])						Family Name or Surname	
Neil E.						Campbell	
Inventor's Signature						1-11-99	Date
Residence: City	Eden	State	Maryland	Country	United States	Citizenship	United States
Post Office Address	3293 Reden Ferry Road						
Post Office Address							
City	Eden	State	Maryland	ZIP	21822	Country	United States
Name of Additional Joint Inventor, if any:						<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name(first and middle [if any])						Family Name or Surname	
Chin Soo						Park	
Inventor's Signature						01-11-99	Date
Residence: City	Salisbury	State	Maryland	Country	United States	Citizenship	USA
Post Office Address	6174 Augusta Circle						
Post Office Address							
City	Salisbury	State	Maryland	ZIP	21801	Country	United States
Name of Additional Joint Inventor, if any:						<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name(first and middle [if any])						Family Name or Surname	
Albert P.						Ruggieri	
Inventor's Signature						Date	12 JAN 99
Residence: City	Flourtown	State	Pennsylvania	Country	United States	Citizenship	USA
Post Office Address	201 Spruce Road						
Post Office Address							
City	Flourtown	State	Pennsylvania	ZIP	19031	Country	United States

(Page 3 of 5)

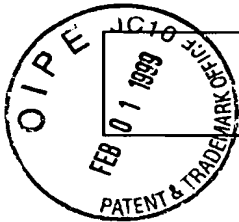
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DECLARATION

ADDITIONAL INVENTOR(S)
Supplemental Sheet
Page 4 of 5

Name of Additional Joint Inventor, if any:						<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name(first and middle [if any])						Family Name or Surname	
John E.						Sheaffer	
Inventor's Signature	<i>John E. Sheaffer</i>					1/13/99 Date	
Residence: City	Perryville	State	Maryland	Country	United States	Citizenship	USA
Post Office Address	1644 Greenspring Avenue						
Post Office Address							
City	Perryville	State	Maryland	ZIP	21903	Country	United States
Name of Additional Joint Inventor, if any:						<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name(first and middle [if any])						Family Name or Surname	
Dale						Murray	
Inventor's Signature	<i>Dale Murray</i>					1/13/99 Date	
Residence: City	Elkton	State	Maryland	Country	United States	Citizenship	United States
Post Office Address	6 White Pine Court						
Post Office Address							
City	Elkton	State	Maryland	ZIP	21921	Country	United States
Name of Additional Joint Inventor, if any:						<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name(first and middle [if any])						Family Name or Surname	
Eric A.						Deitrich	
Inventor's Signature	<i>Eric A. Deitrich</i>					1/20/99 Date	
Residence: City	Woodbine	State	Maryland	Country	United States	Citizenship	United States
Post Office Address	1285 Hoods Mill Road						
Post Office Address							
City	Woodbine	State	Maryland	ZIP	21797	Country	United States

(Page 4 of 5)

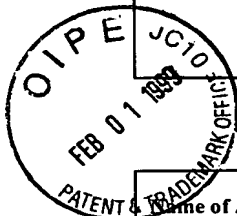
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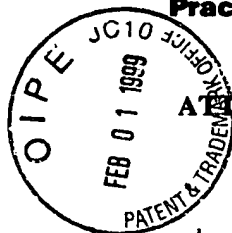
DECLARATION

ADDITIONAL INVENTOR(S)
Supplemental Sheet
Page 5 of 5

Name of Additional Joint Inventor, if any:						<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name(first and middle [if any])							
Lynn						Irwin	
Inventor's Signature						Date	1/8/99
Residence: City	Seaford	State	Delaware	Country	United States	Citizenship	Canada
Post Office Address	27 River's End Drive						
Post Office Address							
City	Seaford	State	Delaware	ZIP	19973	Country	United States
Name of Additional Joint Inventor, if any:						<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name(first and middle [if any])						Family Name or Surname	
Rodney						Gerringer	
Inventor's Signature						Date	1/3/99
Residence: City	Belcamp	State	Maryland	Country	United States	Citizenship	United States
Post Office Address	1305 Germander Drive						
Post Office Address							
City	Belcamp	State	Maryland	ZIP	21017	Country	United States
Name of Additional Joint Inventor, if any:						<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name(first and middle [if any])						Family Name or Surname	
Inventor's Signature						Date	
Residence: City		State		Country		Citizenship	
Post Office Address							
Post Office Address							
City		State		ZIP		Country	

(Page 5 of 5)

Practitioner's Docket No. 364106/176



ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR SIGNING BY ADMINISTRATOR(TRIX), EXECUTOR(TRIX) OR LEGAL REPRESENTATIVE ON BEHALF OF DECEASED OR INCAPACITATED INVENTOR (37 CFR 1.42 AND 1.43)

I, JESSICA R. MATTHEWS,
(type or print name(s) of administrator(trix), executor(trix), legal representative or all heirs)
hereby declare that I am a citizen of UNITED STATES OF AMERICA,
residing at 9421 PARK HUNT COURT
SPRINGFIELD, VA 22153

and that I am executing and signing the declaration to which this is attached as

(check one):

- ☒ the administrator(trix) of
☐ executor(trix) of the last will and testament of
☐ legal representative (or heirs) of

Full name of (first, second etc.) deceased or incapacitated inventor

Albert P. Ruggieri

Country of citizenship of deceased or incapacitated inventor

United States

Residence of deceased or incapacitated inventor

201 Spruce Road, Flourtown, Pennsylvania 19031

Post Office Address of deceased or incapacitated inventor

same as residence address

NOTE: The name of the first, second etc. deceased or incapacitated inventor should preferably also be filled in at the appropriate prior space of the declaration adding the words "deceased-completed on added page" or "incapacitated-completed on added page."

That, upon information and belief, I aver those facts that the inventor is required to state.

Date: 31 DEC 98

Jessica R. Matthews

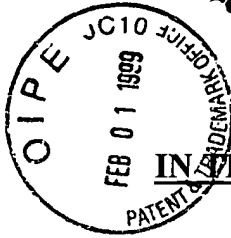
Signature of administrator(trix), executor(trix)
legal representative (or all heirs)

NOTE: Proof of authority of the administrator(trix), executor(trix) or legal representative must be recorded in the PTO or filed in the application before the grant of the patent. 37 CFR 1.44.

NOTE: Application may be made by the heirs of the inventor if a certificate of the court will establish that they are all the heirs and the estate was not required to appoint an administrator. If the heirs are signing add lines for all the heirs to sign. MPEP § 409.01(a), 6th ed., rev. 3.

(Added Page to Combined Declaration and Power of Attorney for Signing by Administrator(trix), Executor(trix) or Legal Representative on Behalf of Deceased or Incapacitated Inventor (37 CFR 1.42 and 1.43) [1-3])

Docket No.
364106/176
HMG:JL:PH



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : George S. Gabriel et al.
Serial No. : 09/173,134 Art Unit: 3643
Filed : October 15, 1998
For : MULTIPURPOSE RAT CAGE

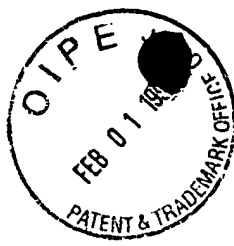
**DECLARATION CLAIMING SMALL ENTITY STATUS
UNDER 37 C.F.R. 1.9(f) AND 1.27(c) - SMALL BUSINESS CONCERN**

I hereby declare that I am an official of the small business concern empowered to act on behalf of the concern identified below:

Lab Products, Inc.
742 Sussex Avenue
Seaford, Delaware 19973

I hereby declare that the above identified concern qualifies as a small business concern as defined in 13 C.F.R. §§ 121.801 through 121.805, in accordance with 37 C.F.R. § 1.9(d), for purposes of paying reduced fees under Sections 41(a), (b) and (h) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement:

(1) In calculating the number of employees of the business concern: (a) the average numbers of employees is used (including employees of domestic and foreign affiliates) based upon numbers of employees for each of the pay periods for the preceding completed 12 calendar months; (b) part-time and temporary employees are counted the same as full-time employees; (c) if the concern has not been in business for 12 months, the average number of employees is used for each of the pay periods during which it has been in business; and (d) the treatment of employees of former affiliates or recently



acquired affiliates is the same as for size determinations using annual receipts under 13 C.F.R. § 121.104(d); and

(2) Concerns are affiliates of each other when one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

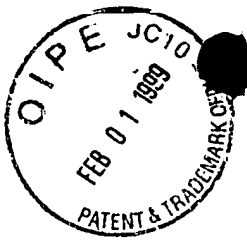
I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled **MULTIPURPOSE RAT CAGE** by inventors George S. Gabriel, Neil E. Campbell, Chin Soo Park, Albert P. Ruggieri, John E. Sheaffer, Dale Murray, Eric A. Deitrich, Lynn Irwin, and Rodney Gerringer, described in the specification of U.S. patent application being filed concurrently herewith.

If the rights held by the above identified small business concern are not exclusive, each person, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 C.F.R. § 1.9(c), or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).

No such person, concern or organization.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. 37 C.F.R. § 1.28(b).

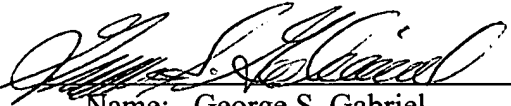
I hereby declare that all statements made herein or my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United



States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

LAB PRODUCTS, INC.

Dated: 1/12, 99

By 
Name: George S. Gabriel
Title: Chairman